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Provisional summary record of the 38th meeting
Held at Headquarters, New York, on Friday, 16 July 2010, at 3 p.m.

President: Mr. Soborun (Vice-President) ..... (Mauritius)

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* Sub-items considered together.

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In the absence of Mr. Ali (Malaysia), Mr. Soborun (Mauritius), Vice-President, took the Chair.

The meeting was called to order at 3.20 p.m.

Coordination, programme and other questions (*continued*)

(g) Tobacco or health (*continued*) (E/2010/L.14)

1. **Mr. Al-Aud** (Observer for Yemen), speaking on behalf of the Group of 77 and China, introduced draft resolution E/2010/L.14, on "Tobacco use and maternal and child health". Given the importance of protecting women and their children, he urged all Member States to include tobacco control in their public-health policies. The Group hoped that the draft resolution could be adopted by consensus.

(c) International cooperation in the field of informatics (E/2010/48)

Economic and environmental questions (*continued*)

(b) Science and technology for development (E/2009/92; E/2010/12-A/65/64, E/2010/31 and E/2010/68-A/65/78; E/2010/CRP.4)

2. **The President** invited the Council to begin its joint consideration of the two sub-items. He said that cyberspace had become an integral part of all human activity and was probably the most powerful tool of communication in existence, essential for coordinating efforts in such areas as water supply, education, Government services, emergency assistance, food distribution, industry and power supply. It was essential to ensure that measures were put in place to guard against potential threats that could have severe economic and social repercussions worldwide.

3. The Economic and Social Council provided an excellent forum for bringing together stakeholders to discuss policy measures that were needed to confront the increasingly transnational nature of cyberthreats and to ensure the security of critical information structures. If networks were to fail or be brought down in any country, the adverse effects would be on an unprecedented scale. For that reason, cybersecurity should be high on the international community's agenda.

4. *A briefing on "Cybersecurity: emerging threats and challenges" was provided, with presentations by Mr. Gary Fowlie (Head, International Telecommunication Union (ITU) Liaison Office in New York; Ms. Gillian Murray (Officer-in-Charge, Organized Crime Section, and Focal Point for Cybercrime, Division for Treaty Affairs, United Nations Office on Drugs and Crime); and Mr. Mongi Hamdi (Head, Science, Technology and ICT Branch, Division on Technology and Logistics, United Nations Conference on Trade and Development (UNCTAD)). The panellists responded to comments made and questions raised by the delegations of Bangladesh, the Philippines, France and Canada.*

5. **Mr. Jomo** (Assistant Secretary-General for Economic Development), speaking on behalf of Mr. Sha Zukang, Under-Secretary-General for Economic and Social Affairs, introduced the report of the Secretary-General on enhanced cooperation on public policy issues pertaining to the Internet (E/2009/92), submitted in accordance with General Assembly resolution 63/202, and a note by the Secretary-General on continuation of the Internet Governance Forum (E/2010/68-A/65/78). The Secretary-General's report had been transmitted in 2009 to the Council, but the Council had decided to seek the advice of the Commission on Science and Technology for Development on the issue before considering it. The Commission had reviewed the matter of enhanced cooperation in the context of the follow-up to the World Summit on the Information Society (WSIS) at its thirteenth session, in May 2010. Document E/2010/CRP.4 contained an update on activities undertaken by the relevant institutions to promote enhanced cooperation in the past two years.

6. There continued to be a difference of views as to how enhanced cooperation could be achieved and in which areas. Some were of the opinion that deliberations in an international setting could best enable Governments to carry out their responsibilities in public policymaking on an equal footing. Others were of the view that dialogue among Member States, the private sector, civil society and international organizations, possibly in multiple Internet governance mechanisms, including at the regional and national levels, was an effective means of enabling Governments to fulfil their roles in relevant areas of international concern. Some also perceived management of critical Internet resources to be of primary importance, while others stressed the need for enhanced cooperation among Governments on connectivity, cybersecurity, consumer protection and a range of other issues. Critical Internet resources were

usually taken to mean the addressing systems, domain-name systems, root servers and routing tables that together handled the flow of communications traffic, where the main issues appeared to be security, continuity, stability, coordination, control and capacity, and democratic governance of the resources.

7. In its draft resolution I entitled "Assessment of the progress made in the implementation of and follow-up to the outcomes of the World Summit on the Information Society" (E/2010/31, chap. I (A)), the Commission was recommending that the Council should pursue the issue by inviting the Secretary-General to convene consultations involving all Member States and all other stakeholders to work towards enhanced cooperation in order to enable Governments, on an equal footing, to carry out their responsibilities in international public-policy issues pertaining to the Internet, as called for in the 2005 Tunis Agenda for the Information Society. The Commission recommended that consultations should be held before the end of 2010, with a report on the outcome to be submitted to the General Assembly, at its sixty-sixth session, through the Council.

8. With reference to the Secretary-General's note on continuation of the Internet Governance Forum (E/2010/68-A/65/78), he noted that, in order better to understand the issues related to Internet governance and promote dialogue among stakeholders in an open and inclusive manner, Member States had decided in early 2006 to establish the Internet Governance Forum. The main function of the Forum was to discuss public-policy issues relating to key elements of Internet governance, including issues relating to critical Internet resources, the security and safety of the Internet, and developmental aspects and issues pertaining to the use of the Internet. The Forum had been given a lifespan of five years, after which Member States would review the desirability of its continuation. As requested under the Tunis Agenda, the Secretary-General had examined the merits and shortcomings of the Forum, taking into account the views of its many participants, solicited through an online questionnaire, a note verbale and a formal consultation with participants during the fourth meeting of the Forum, at Sharm el-Sheikh, Egypt.

9. Given the views expressed by the General Assembly in resolution 64/187 on the question of stakeholder dialogue and the strong support for an open forum on public-policy issues related to Internet governance, the Secretary-General was recommending that the Assembly should consider extending the mandate of the Forum for a further five years, with a number of improvements, including a review of the agenda of the Forum in the light of recent technological changes such as social networks, and the development and human-rights dimensions of Internet governance.

10. Member States might also wish to consider the effectiveness of the Forum and the means by which it could better contribute to international and national public policymaking. An improved Forum should also produce outputs that promoted better understanding of issues related to Internet governance to facilitate policymaking. Similarly, Member States might wish to take note of the scope and level of participation of the various stakeholder groups in the Forum and consider whether additional steps should be taken to strengthen its inclusiveness and representativeness, particularly participation by Governments and stakeholders from developing countries. The Secretary-General was inviting the Council and the Assembly to reflect on how to improve the format and operations of the Forum, with a view to enhancing inclusiveness, transparency, effectiveness and cost-efficiency while ensuring balanced stakeholder representation and participation.

11. **Mr. Hamdi** (Head, Science, Technology and ICT Branch, Division on Technology and Logistics, United Nations Conference on Trade and Development (UNCTAD)) introduced the Secretary-General's report on progress made in the implementation of and follow-up to the outcomes of the World Summit on the Information Society at the regional and international levels (E/2010/12-A/65/64). The report had been prepared by UNCTAD with input from other United Nations bodies, such as ITU, the United Nations Educational, Scientific and Cultural Organization (UNESCO) and the regional commissions.

12. The digital divide between developing and developed countries continued to narrow. Today, 90 per cent of the world's population lived within range of a cellular network, with a global mobile penetration of more than 60 per cent, or more than 4.5 billion people. The gap in access to the Internet between developed and developing countries was also closing, albeit at a slower pace, with more than half of the world's Internet users living in developing countries, especially in Asia. Regionally, Africa and the Middle East were

experiencing the fastest mobile and Internet growth. However, large disparities in terms of penetration and affordability still existed, both across and within countries and regions. In developing countries as a whole, less than 15 per cent of the population used the Internet. There were persistent challenges related to low-cost access to broadband, local-content development and data privacy.

13. The report noted that the issue of financing information and communications technology (ICT) for development remained a key area of concern, particularly with regard to the recent economic downtown and to cybersecurity. Governments needed to take the lead in adopting and harmonizing legislation in such areas as data security, network security, cybercrime, information systems and electronic transactions, as well as in fostering a culture of cybersecurity. Considerable progress had been made in 2009 towards the implementation of the World Summit outcomes.

14. A broad range of activities had been reported by United Nations entities, including the sharing of best practices, support to Governments in policy development, e-services deployment and various capacity-building efforts. Much more needed to be done, however, to create an information society for all. Major gaps remained within economies and societies, and without adequate responses from policymakers at all levels, there was a strong risk that new ICT might bring more rather than less inequality. All relevant United Nations entities must continue to join forces with Governments, the private sector and civil society to explore ways to meet the goals established at the World Summit.

15. **Mr. Blinder** (Director, Office of Information and Communications Technology) introduced the Secretary-General's report on international cooperation in the field of informatics (E/2010/48). He noted that an Ad Hoc Open-Ended Working Group on Informatics had been formed at Headquarters to act as a bridge between the evolving needs of the Member States and the innovative technologies available at the Secretariat. Under the guidance of the Working Group, strong practical results had been achieved with regard to the everyday use of ICT to assist the diplomatic community at Headquarters and other United Nations offices. Under the capital master plan, wireless Internet connectivity throughout public areas and conference rooms had been introduced. He cited two useful new portals developed by his Office, namely, Candiweb, which supported the election process for United Nations bodies by providing appropriate parties with secure access to information about elections and candidatures, and deleGATE, which sought to develop and implement cost-neutral measures to ensure that information was secure and readily accessible to Member States.

16. His Office continued to enhance the search functionalities of the United Nations Official Document System (ODS) and was assisting the Department for General Assembly and Conference Management in the development of eSubscription, which would allow Member States to subscribe to published documents through ODS. A wide range of online training courses had also been developed with the help of the United Nations Institute for Training and Research (UNITAR) and other partners, including some in French and Spanish. Over 2,500 members of the diplomatic community had taken the course in multilateral diplomacy in 2009. His Office also provided ongoing technical support to delegates through its dedicated service desk.

17. The effectiveness of ICT depended directly on how involved the user community was in defining its needs. The Working Group had focused on practical information-technology enhancements that benefited the entire diplomatic community and could be accomplished within existing resources. His Office strongly encouraged representatives with a strong interest in ICT and with simple solutions for the delegate community to approach the Office and to participate in the work of the Working Group.

18. **Mr. Al-Aud** (Yemen), speaking on behalf of the Group of 77 and China, noted that, as a result of the Internet's explosive growth, Internet policy and governance issues were acquiring increasing importance, as highlighted by the World Summit on the Information Society, the first phase of which, held in December 2003, had adopted the Geneva Declaration of Principles and the Geneva Plan of Action. The second phase of the Summit, held in Tunis in November 2005, had adopted the Tunis Commitment and the Tunis Agenda for the Information Society. Both phases had stressed the importance of enabling developing countries to benefit from ICT by bridging both the digital and the development divides.

19. Under the Tunis Agenda, the Internet Governance Forum had been mandated, among other things, to discuss public-policy issues related to key elements of Internet governance in order to foster the sustainability, robustness, security and further development of the Internet. The Secretary-General had also been asked to examine, within five years and in formal consultation with Forum participants, the desirability of continuing the Forum and to make recommendations to the United Nations membership in that regard. The Commission on Science and Technology for Development had also recently discussed the issue of Internet governance and had submitted a draft resolution on the subject to the Council (E/2010/31, chap. I (A), draft resolution I).

20. With regard to the Secretary-General's note on the continuation of the Internet Governance Forum and his recommendations on the topic (E/2010/68-A/65/78), the Group of 77 and China was of the view that the mandate of the Forum should not be extended without reforms. It was, furthermore, not within the mandate of the Forum to consider strengthening its format, functions or operations, a task for which it lacked the required decision-making procedure. Such reforms or changes should be considered and decided by the United Nations membership. It was extremely important that the Secretary-General should initiate as soon as possible a mechanism for enhanced cooperation on Internet governance, especially among Governments, as requested by the Summit and recently by the Commission's draft resolution. The Summit had set up two pillars for Internet governance, one being the enhanced-cooperation process to enable Governments on an equal footing to carry out their roles and responsibilities in international public-policy issues pertaining to the Internet, the other being the Internet Governance Forum as a multi-stakeholder policy dialogue.

21. With regard to reforming the Forum, he noted that the Tunis Agenda had stressed the need to maximize the participation of developing countries in decisions regarding Internet governance, as well as in development and capacity-building. The issue of the continuation of the Forum was best addressed at the coming session of the General Assembly, bearing in mind the improvements highlighted by the majority of the participants during the Sharm el-Sheikh meeting in November 2009. In that respect, the Commission could start such a process through a working group to receive and review inputs from all stakeholders in order to submit a report with recommendations to the Council for consideration and submission to the General Assembly.

22. The future Forum should focus, inter alia, on how to resolve significant public-policy issues such as the unilateral control of critical Internet resources and measures to enhance access to the Internet. Effective global Internet governance required the representation and participation of stakeholders from the developing countries, especially the least developing countries, in the Forum. The Tunis Agenda should be strictly followed, so that the reformed Forum would not duplicate the work and mandate of other organizations. The General Assembly should seriously consider the possibility of incorporating financing for the Forum into the regular budget and provide assistance to developing countries for their participation in Forum meetings. The modalities of work, the preparatory process and the functions of the Forum secretariat should be changed to ensure efficiency and a balanced representation among geographical regions, with agreed terms of reference and rules of procedure. The establishment of a mechanism for enhanced cooperation together with a reformed Internet Governance Forum would effectively promote global Internet governance and facilitate the achievement of the Millennium Development Goals.

23. **Mr. de Bassompierre** (Belgium), speaking for the European Union; the candidate countries Croatia and the former Yugoslav Republic of Macedonia; the stabilization and association process countries and potential candidates Albania, Bosnia and Herzegovina, Montenegro and Serbia; and, in addition, Armenia, Georgia, Liechtenstein, the Republic of Moldova and Ukraine, said that the European Union welcomed draft resolution I submitted by the Commission on Science and Technology for Development to the Council. The proposals it contained were valuable for ensuring further progress in implementing the outcomes of the World Summit and were consistent with the Secretary-General's note on the continuation of the Internet Governance Forum.

24. **Mr. Al-Bayati** (Iraq) said that information and communications technology (ICT) was necessary for economic development and for building societies that protected human rights, democracy and the environment and promoted peace, economic advancement and social justice. They played an important role in achieving the United Nations

development goals and needed to be easily accessible to all people rather than be monopolized by a select few. Information technology needed to be people-centred and allow the sharing of resources. Developing countries should use ICT to assist with decision-making and should adopt policies that encouraged international e-commerce, with open software and reduced price of access to such technology.

25. Since 2003, Iraq had taken initiatives to put ICT at the service of development goals and to use it in education and e-government. Iraq had sought to educate its people about ICT and to spread Internet access throughout the country. Despite the challenges facing Iraq following the destruction of its communications infrastructure, it had made progress with help from the international community. Focus had been placed on supporting research centres and inventors through the provision of facilities, laboratories and other logistical assistance.

26. **Mr. Sergeev** (Observer for Belarus) said that his country supported greater international cooperation and partnerships in science and technology, technology transfer and the sharing of experience and innovations, with assistance from United Nations specialized agencies and developed countries. Without their experience, it was difficult to bridge the growing digital divide. He expressed support for the work of the Commission on Science and Technology for Development.

27. Belarus was working steadily to expand its information technology capacity and was progressing in the development and affordability of ICT services. The transition from analog to digital broadcasting was among the top priorities for the Commonwealth of Independent States (CIS). Together with ITU, Belarus had hosted the Connect CIS Summit in November 2009, where special attention had been accorded to that issue, as well as to the question of security in cyberspace. A declaration adopted by the CIS Summit aimed to further the vision and goals of the World Summit on the Information Society in the CIS region. Belarus counted on support from the United Nations, foreign donors and other stakeholders in implementing that declaration.

28. Lastly, he said that Belarus was willing to participate in consultations concerning draft resolution I submitted by the Commission.

29. **Mr. Chen** Yin (China) said that ICT played an ever-increasing role in socio-economic development and provided tools for bridging the digital divide and achieving the Millennium Development Goals.

30. With regard to Internet governance, his delegation welcomed the report of the Secretary-General on enhanced cooperation on public policy issues pertaining to the Internet (E/2009/92) and urged all parties to implement the World Summit outcomes and establish the mechanism for enhanced cooperation.

31. As to the Secretary-General's note on the continuation of the Internet Governance Forum (E/2010/68-A/65/78), his delegation did not see the need to extend the mandate of the Forum unless it was reformed appropriately. The future Forum needed to focus on resolving the issue of unilateral control of critical Internet resources, increase the representation of developing countries and make development its first priority. Forum financing needed to be incorporated into the United Nations regular budget and assistance should be provided to developing countries for participation in Forum meetings. The way the Forum secretariat operated also needed to be changed to ensure the balanced representation of all stakeholders and geographical regions.

32. The World Summit outcomes stated that the international management of the Internet should be multilateral, democratic and transparent, and authority over Internet-related public policy was the sovereign right and responsibility of every country. Noting that the Forum had been unable to solve the problem of unilateral control of critical Internet resources, he proposed that a working group should be set up at the sixty-fifth session of the General Assembly to offer solutions to that problem.

33. **Mr. Kim** Chango-Mo (Republic of Korea) said that his Government had long advocated the use of ICT to promote development. Although mobile-phone access had improved, further efforts were needed to expand Internet access and broadband connectivity, two technologies that could generate sustainable livelihoods, particularly in developing countries. Closing the ICT gap was essential in order to facilitate development; allowing the gap to widen reinforced social divides and made it more difficult for vulnerable groups, including women and the poor, to escape poverty. Those groups required special attention, such as skills training for and access to ICT.

34. His delegation also recognized the need for new ways to address Internet-governance issues. The Internet Governance Forum should be strengthened to that end and its mandate should be extended to enable it to continue serving as a multi-stakeholder forum for policy dialogue on those issues. The Multi-stakeholder Advisory Group could play a valuable role in facilitating broad-based participation through the organization of the annual meeting of the Forum.

35. **Mr. Farias** (Brazil) said that, although the use of ICT had expanded considerably and although it was receiving greater consideration in public-policy formulation around the world, in order to harness the full potential of ICT in broader development efforts the United Nations had much to do before it played the pivotal role entrusted to it by the World Summit on the Information Society.

36. The United Nations should play a greater role in improving global Internet governance and in overcoming the digital divide by addressing the lack of funding to support the development of ICT. The building of an open, inclusive, diverse and reliable information society depended on the deployment of democratic intergovernmental decision-making. The United Nations was the forum of choice in that respect.

37. Adequate treatment of cyberspace as a public good should be a major objective. Policies should be discussed and implemented to enable everyone to benefit equally from the new potentialities of instant networking. Such issues as free or low-cost access to information, education and cultural goods and the promotion of cultural diversity, in line with the UNESCO Convention on Cultural Diversity, were critical if ICT was to work for development and poverty eradication.

38. His delegation had welcomed the creation of the Internet Governance Forum and had participated actively in all its meetings. As the review period approached and the Forum outcomes became more significant, it was time to reflect on its future. He welcomed the Secretary-General's recommendation that the mandate of the Forum should be renewed and given a more proactive role. The Forum secretariat should be strengthened, including with allocations from the United Nations regular budget, in order to make the Forum more effective, independent and transparent.

39. Although progress had been achieved in the Forum, issues of voice and participation of Governments and multilateral organizations in matters relating to Internet governance remained unresolved. There was a need for urgent reform of the unilateral and exclusive framework of controls over the assignment of Internet Protocol addresses, the root directory and other critical Internet resources.

40. Although the continuation of the Forum and enhanced cooperation were mutually reinforcing, they must be independent processes, as recommended by the Commission on Science and Technology for Development at its thirteenth session. All Member States should accord priority to launching the process, in accordance with the Tunis Agenda. Such cooperation was essential in order to enable Governments, on an equal footing, to carry out their responsibilities in international public-policy issues pertaining to the Internet, including cybersecurity.

41. Since the Tunis phase of the World Summit, little progress had been achieved in implementing the Global Digital Solidarity Fund or any other such mechanism capable of addressing shortfalls in official development assistance in the area of ICT. Member States should support the activities of the Fund.

42. **Mr. Rajabi** (Islamic Republic of Iran) cautioned against diluting the letter and the spirit of the outcomes of the Geneva and Tunis phases of the World Summit. Citing parts of the Tunis Agenda, he emphasized that the Internet Governance Forum and enhanced cooperation involving all stakeholders on issues related to Internet governance were two separate but complementary mechanisms and that one could not replace the other. The process towards enhanced cooperation and such cooperation itself had received short shrift thus far, notwithstanding the concerns expressed by Governments.

43. His delegation agreed with the Group of 77 and China that the question of extending the mandate of the Forum was closely related to the establishment of enhanced cooperation and that further deliberations on how to move consideration of such cooperation forward should contain clear guidance on what steps the Secretary-General should take to facilitate the process, as well as on their timing. Any decisions to be taken were the responsibility of the General Assembly and should not be left to the Forum, which had no decision-making power.

44. Although draft resolution I submitted to the Council by the Commission did not fully address his delegation's concerns, it was an adequate starting point for a text that would honour the Tunis compromise in its entirety.

45. **Ms. Sirotkina** (Russian Federation) applauded United Nations efforts to optimize and make its information systems accessible to Member States. In that connection, she noted the work of the Ad Hoc Open-ended Working Group on Informatics. Her country welcomed the report of the Commission on its thirteenth session and its decision regarding the involvement of civil society, academic and business entities in its work.

46. Internet governance needed to be internationalized in order, to allow for equal participation of all States, protect each State's sovereign right to govern the Internet at the national level and ensure the safety and stability of the Internet. ITU could play a positive role in that regard.

47. **Mr. Morrill** (Canada) said that the Internet Governance Forum was an important multi-stakeholder venue for discussion of public-policy issues that pursued the goals of capacity-building and development. Canadians from all stakeholder groups had participated in the Forum and had expressed support for its continuation. The discussions at the latest session of the Commission had taken into account the full spectrum of views on the Forum and enhanced cooperation and had resulted in the balanced outcomes contained in the Commission's report. He looked forward to their adoption by the Council.

48. **Ms. Alfsen** (Observer for the United Nations Educational, Scientific and Cultural Organization (UNESCO)) said that, ever since the 2003 Geneva World Summit on the Information Society, UNESCO had consistently emphasized that Internet governance must be based on the principles of openness, which encompassed freedom of expression, diversity, universality and multilingualism.

49. UNESCO, with its rich mandate covering education, the sciences, culture and communications and information, provided a humanistic sounding board for Forum activities related to freedom of expression, linguistic diversity, increased and more equitable access to information, privacy issues and media and information literacy.

50. UNESCO looked forward to continuing to play an important role in the Forum and strongly supported an extension of its mandate. In cases where the Forum had had an impact on existing and evolving governance structures, its success could be attributed to the fact that it offered a platform for international multi-stakeholders participating on an equal footing.

51. She assured the Council that UNESCO was also ready to contribute to the dialogue on enhanced cooperation at the Forum's forthcoming meeting in Vilnius.

52. **Mr. Hassan** (Egypt) said that his country supported the extension of the mandate of the Forum and believed that it needed to remain a venue for open, multi-stakeholder dialogue. The Forum needed to be part of a greater United Nations effort to build an inclusive, people-centred information-oriented society. A number of procedural aspects of the work of the Forum, including the mechanism for open consultations, financing and the reform of the secretariat, called for improvement. Substantive issues involving critical Internet resources and the participation of developing countries also needed to be addressed.

53. He expressed agreement with paragraphs 31, 32, and 35 of the Secretary-General's report (E/2010/68-A/65/78) on the work of the Forum. Egypt supported the call for establishing a working group within the Commission to address the improvement of the Forum and submit a report to the Council for transmission to the General Assembly, thereby ensuring that the process was inclusive and transparent.

54. **Ms. Nemroff** (United States of America) welcomed the report of the Commission on Science and Technology for Development and the draft resolutions and decisions it contained. The establishment of the Forum had been one of the key outputs of the World Summit. It facilitated the exchange of information and best practices among stakeholders and had become a major international venue for the discussion of Internet-related public-policy issues. The United States believed that the work methods of the Forum were fully consistent with World Summit principles and appropriately addressed its mandate as articulated in the Tunis Agenda. The United States supported the extension of the mandate of the Forum and believed that it needed to maintain a decentralized structure, using the Multi-stakeholder

Advisory Group as the principal locus for organizing its work.

The meeting rose at 6.05 p.m.